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The situation of women and girls in Afghanistan

Report of the Secretary-General**

Summary

Pursuant to Economic and Social Council resolution 2002/4 of 24 July 2002, the present report provides an overview of the situation of women and girls in Afghanistan in 2002 and gender-related assistance provided by the United Nations system. Afghanistan's emergence from 24 years of conflict has led to significant positive changes in women's lives: women are re-emerging as a political and economic force; they participated in decision-making on the peace process and the reconstruction of their country, they were appointed to serve in Government; women are returning to the workforce and women and girls were able to gain access to education.

In spite of this progress, many challenges to women's full and equal participation in society remain: in many parts of the country women face violence; they are primary victims of insecurity, which limits their access to public life and threatens their lives and dignity; restrictions to the full enjoyment of fundamental freedoms and human rights continue to be applied to women by local leaders.

* E/CN.6/2003/1.

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The report provides information about activities undertaken by the United Nations system in support of the Afghan Transitional Administration. It also includes recommendations for further efforts, including the need for resources specifically targeted to gender equality programmes and projects, the need for increased security and prevention of violence, as well as the importance of a rights-based and gender-sensitive approach to relief, reconstruction and development.

Contents

		Paragraphs	*Page*
I.	Introduction	1–2	4
II.	Progress and challenges facing Afghan women and girls	3–5	4
III.	Intergovernmental and expert bodies	6–11	5
IV.	Follow-up to the Bonn agreement and support by the United Nations system	12–32	6
	A. Emergency Loya Jirga and the Transitional Administration	12–17	6
	B. Functional commissions	18–21	7
	C. Preparations for the general elections in June 2004	22	7
	D. Ministry of Women's Affairs	23–27	8
	E. Security	28–29	9
	F. Continuing causes for concern with regard to women's human rights	30–32	9
V.	Economic and social situation and response by the United Nations system	33–57	10
	A. Health	33–39	10
	B. Education	40–43	11
	C. Employment	44–48	12
	D. Violence against women and girls	49–54	12
	E. Refugees and internally displaced persons	55–57	13
VI.	Coordination of United Nations assistance to Afghan women and girls	58–64	14
	A. Gender adviser	59	14
	B. Inter-agency coordination mechanism	60	14
	C. Support for training and capacity-building on the Convention on the Elimination of All Forms of Discrimination against Women	61	15
	D. Monitoring and reporting	62	15
	E. Programming and financing of gender-related activities	63–64	15
VII.	Conclusions and recommendations	65–70	16
	A. Conclusions	65–69	16
	B. Recommendations	70	17

I. Introduction

1. The present report is submitted in accordance with Economic and Social Council resolution 2002/4 on the situation of women and girls in Afghanistan, in which the Council requested the Secretary-General to report to the Commission on the Status of Women at its forty-seventh session, on progress made in the implementation of that resolution. The report draws on information from the United Nations system[1] and other sources.

2. It focuses on intergovernmental discussions of the situation of women and girls in Afghanistan; political, social and economic developments affecting Afghan women since the submission of the last report to the Commission at its forty-sixth session (E/CN.6/2002/5), with particular focus on steps taken by the Afghan Transitional Administration and on action taken by the United Nations system to assist the Administration in its efforts to raise the status of women. It concludes with a set of recommendations.

II. Progress and challenges facing Afghan women and girls

3. Afghanistan's emergence from 24 years of conflict has led to significant achievements and progress for women who went from complete marginalization and denial of rights to participation in several key institutions for the reconstruction of their country, including the Emergency Loya Jirga, the Afghan Transitional Administration, the Ministry for Women's Affairs, the Afghan Independent Human Rights Commission and Judicial and Constitutional Drafting Commissions. One of the major changes has been the re-emergence of women in urban areas with relatively better access to employment, health care and education. Although women's participation in civil society continues to be limited, the re-emergence of media, the reopening of academic institutions and the formation of professional associations are increasingly affecting women's role in society. Over 3 million girls and boys have returned to school since March 2002; and over 1.7 million refugees have returned from neighbouring countries.

4. Women's progress is, however, determined by post-conflict characteristics and complexities of Afghan society with patriarchal values and traditions which are deeply ingrained. In the absence of an effective national force, the lack of security across the country continues to impede progress in the rehabilitation of Afghanistan and the advancement of women. Women are reported to restrict their participation in public life to avoid being targets of violence by armed factions and elements seeking to enforce the repressive edicts of the previous regime.[2] Despite positive developments regarding women's rights, intimidation and violence by regional and local commanders against women continue unabated. In rural areas, especially in the more conservative tribal belt, the situation of women has not changed to any great extent since the removal of the Taliban.[3] The prevalence of conservative attitudes limits the full, equal and effective participation of women in civil, cultural, economic, political and social life throughout the country at all levels of society.

5. The United Nations Assistance Mission in Afghanistan (UNAMA) is assisting the Afghan Government with the goal to encourage and support national capacity. Following a rights-based and gender-sensitive approach in both pillars (political affairs and relief, recovery and reconstruction), UNAMA, in coordination with other

United Nations entities, is beginning to implement the integration of gender perspectives in all aspects of its operations.

III. Intergovernmental and expert bodies

6. Throughout the reporting period, the situation of women and girls in Afghanistan was examined in various United Nations forums, including the General Assembly, the Security Council, two functional commissions of the Economic and Social Council (the Commissions on the Status of Women and on Human Rights) and expert bodies, such as the Subcommission on the Promotion and Protection of Human Rights, reflecting concerns and guidance by Member States.

7. In its resolution 57/113 A of 6 December 2002 on the situation in Afghanistan and its implications for international peace and security, the General Assembly stressed the importance of the full and equal participation of women in political, economic, cultural and social life and appealed to the Transitional Authority and the international community to mainstream gender issues in all humanitarian assistance and future rehabilitation and reconstruction programmes. In its resolution 57/234 of 18 December 2002 on the question of human rights in Afghanistan, the Assembly expressed grave concern about recent attacks against women and girls, including rape and other forms of sexual violence, forced marriage, detention of women and girls for violating social codes and attacks on girls' schools.

8. Having reviewed the report of the Secretary-General on women, peace and security,[4] the Security Council, in the statement made by its President on 31 October 2002,[5] recognized the vital role of women in promoting peace. The Council encouraged Member States and the Secretary-General to establish regular contacts with women's groups and networks to develop clear strategies and action plans with goals and timetables, on the integration of gender perspectives in humanitarian operations, rehabilitation and reconstruction programmes, and to develop targeted activities focused on the specific constraints facing women and girls in post-conflict situations.

9. When addressing the Security Council on 25 April 2002 during a debate on Afghanistan,[6] Sima Samar, former Vice-Chairperson of the Interim Administration and Minister of Women's Affairs, stressed that the rights of women were put to risk by the absence of security. She noted that women continued to fear violence and the imposition of Taliban-like restrictions and warned that the gains made by women so far could easily be lost unless security was greatly improved.

10. In its resolution 2002/19, the Commission on Human Rights, inter alia, noted with deep concern, abuses and violations of the human rights of women and girls; and called upon the Interim Authority and its successors to give high priority to the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and to respect fully the human rights and fundamental freedoms of women and girls in accordance with international human rights law.

11. The Subcommission on the Promotion and Protection of Human Rights considered a report of the Secretary-General on the situation of women and girls in Afghanistan (E/CN.4/Sub.2/2002/27), which highlighted the fact that the overall lack of security in the country remained a key issue for women. It noted that Afghan women were best positioned to articulate their priorities in rebuilding their country.

IV. Follow-up to the Bonn agreement and support by the United Nations system

A. Emergency Loya Jirga and the Transitional Administration

12. The Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions concluded among various Afghan Groups in Bonn, Germany on 5 December 2001,[7] called for the establishment of a broad-based, multi-ethnic, fully representative and gender-sensitive Government, which respects the human rights of all Afghans and the international obligations of Afghanistan. The agreement emphasized the importance of the preparation of a new constitution and preparations for the holding of free and fair elections for a representative Government in June 2004. With the successful convening of the Emergency Loya Jirga, held from 11 to 19 June 2002, and the establishment of the Transitional Administration headed by President Hamid Karzai, there is the prospect of a stable Government committed to the return of Afghanistan to normalcy, peace, respect for human rights, rule of law and the genuine equality of women with men.

13. One of the major political achievements of the Bonn process, actively supported by the United Nations, was the re-emergence of Afghan women as an increasingly active political force in the national struggle for peace, reconstruction and rehabilitation. Women's political activism, even restricted by lack of security, political and cultural factors, shows that women can be effective as equal partners in the reconstruction and democratization of the country.

14. The Independent Commission for the convening of the Emergency Loya Jirga included 3 women out of 21 commissioners, including one vice-chair of the Commission. Women from all segments of society, across ethnic and religious communities accounted for 200 delegates to the Loya Jirga, or 12.5 per cent. One woman was elected Vice-Chair of the Loya Jirga; and another Massouda Jalal, ran for the position of President and received the second largest number of ballots.

15. The Emergency Loya Jirga endorsed the cabinet of the Transitional Administration, which includes three women: Habiba Sorabi as Minister of Women's Affairs, Suhaila Siddiq as Minister of Public Health and Mahbooba Hoquqmal as State Minister for Women's Affairs. The State Minister for Women's Affairs provides policy advice for gender mainstreaming, legal issues and political participation.

16. Despite this success, reports of harassment and intimidation of women during the election of candidates, as well as during and after the Loya Jirga, clearly illustrated the challenges that women continue to face in the public sphere.

17. In collaboration with UNAMA, the United Nations Development Fund for Women (UNIFEM) and the United Nations Development Programme (UNDP), the Ministry of Women's Affairs organized an induction training for all women delegates to the Emergency Loya Jirga to increase their awareness of the procedures and provide them with the necessary skills for networking and coalition-building. Following the Loya Jirga, the Ministry of Women's Affairs supported the creation of a network of women delegates. In support of this network, UNAMA is planning, in

collaboration with relevant ministries, national and regional workshops to prepare women for the next elections as candidates and as voters.

B. Functional commissions

18. As mandated under the Bonn agreement, a number of specialized commissions to support the rehabilitation process of the country were established. Women are part of these commissions, which are mandated to prepare a new democratic constitution enshrining the principles of equality and non-discrimination, to establish a functioning justice system and to hold accountable perpetrators of grave human rights violations. Their activities are vital in ensuring reconciliation and stability, and in improving the status of Afghan women and girls.

19. The nine-member Constitutional Drafting Commission chaired by Vice-President Shahrani comprises two women. In preparing a new constitution, the Commission is guided by the 1964 Constitution, by Islamic principles, by Afghan legal traditions and by international standards, including the principles of equality and non-discrimination. The Commission considers the involvement of civil society as crucial for furthering national reconciliation and acceptance of the draft constitution.

20. The first Judicial Commission was dissolved by President Karzai amid concerns that its membership was not sufficiently independent and, with a view to broadening its representation to include more women and representatives of minorities, a new Judicial Reform Commission was inaugurated on 28 November 2002. The Commission, which is to play a key role in the development of gender-sensitive judicial mechanisms, now comprises two women.

21. The 11-member Afghan Independent Human Rights Commission, chaired by the former Minister of Women's Affairs, includes 5 women. It is charged with monitoring and investigating the human rights situation, promoting human rights education and establishing transitional justice. The Human Rights Commission has also established a women's unit to ensure that women's rights are addressed. Its goals are to sensitize Government officials and others to women's rights, the principles of non-discrimination and the establishment of a legal framework, and to develop gender-sensitivity in the domestic justice system.

C. Preparations for the general elections in June 2004

22. Given the fact that no data have been collected systematically for decades, the Administration is in the process of preparing a new national population and housing census with the support of the United Nations Population Fund (UNFPA), which will provide socio-economic and demographic data essential for the reconstruction process and the conduct of elections. In order to guarantee women's participation, in both the census process and in the elections, it will be important to ensure that procedures for data collection are sensitive to the local culture and to women's right to be recognized as individuals.

D. Ministry of Women's Affairs

23. The Ministry has organized its work around five departments, namely legal services and advocacy; education; vocational training; women's health and communications; and planning and international relations. Priorities include institutional development, building outreach capacity in provinces, supporting women's legal and political rights and addressing women's security and economic empowerment. The Ministry has established a representation in 12 provinces and plans to widen its representation to the remaining provinces. In order to encourage the integration of a gender perspective in all policies, it has set up an inter-ministerial commission with gender focal points in each line ministry. The Ministry has also reached agreement with the Ministries of Education and Health to take part in literacy and health education work. Other ministries are being approached to explore potential collaborative efforts in support of women.

24. The Ministry is increasingly playing an important strategic role, at the national level, in mobilizing and encouraging women's political activism for peace and reconstruction. To commemorate International Women's Day, on 8 March 2002, the Ministry organized a major event in Kabul, which was preceded by a national consultation of Afghan women in that city, organized by the Ministry in close cooperation with UNIFEM, UNDP, the International Labour Organization, UNFPA, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Human Settlements Programme (UN-Habitat) and the United Nations Children's Fund (UNICEF). Some 60 women from eight different provinces of Afghanistan attended the consultation and developed a plan of action. They affirmed their commitment to work with men in the rehabilitation of the country, including all political and administrative processes of Government. They called for increased security and disarmament of warring factions; full participation in the Loya Jirga with a minimum of 25 per cent representation; and sustainable and long-term international support for women's development in such areas as economics, education and health.

25. On 19 September 2002, the Ministry, assisted by UNAMA and UNIFEM, held a workshop of the Gender Programme Working Group to develop gender programmes in the national development budget and assess programme gaps and subsequent financial requirements in the United Nations Immediate and Transitional Assistance Programme for the Afghan People in 2003.

26. On 25 November 2002, the International Day for the Elimination of Violence against Women, the Ministry of Women's Affairs, in cooperation with UNAMA and the United Nations Inter-agency Network on Women and Gender Equality, organized an event to highlight the need to combat violence against women in Afghanistan.

27. In order to strengthen national capacity, UNAMA and other United Nations entities have provided support to the Ministry of Women's Affairs. UNAMA is working with the Ministry to set up the legal advocacy department to assist Afghan women in exercising their legal rights in relation to access to land, inheritance, travel and prevention of domestic violence. Together with the United States Agency for International Development, UNAMA is working with the Ministry to set up a career support unit to provide technical advice and support to qualified Afghan women so that they can return to the job market. The United Nations Development

Fund for Women assisted the Ministry of Women's Affairs to strengthen the core capacity of the Ministry's staff in gender-sensitivity, training, planning and coordinating, as well as data collection and analysis. It has also set up two regional women's centres in Kandahar and Parwan.

E. Security

28. The lack of security remains the most serious challenge facing Afghanistan and Afghans today. Despite all its efforts, to provide a secure environment, the Transitional Administration has not been able to exercise its authority nationwide. Incidents of factional fighting, tribal rivalry, armed robbery, rape, kidnapping and murder remain the major concerns for all Afghans, but particularly for women. In his reports to the Commission on Human Rights and the General Assembly, respectively,[8] the Special Rapporteur on the situation of human rights in Afghanistan pointed to the ongoing lack of security in Afghanistan, which restricted women's participation in public life and resulted in threats of violence and acts of violence against them.

29. With recent agreements reached by the various factions participating in the national Defence Commission in November 2002 and the signing of a decree on 1 December 2002 establishing an Afghan National Army of 70,000 of all ranks, the Transitional Administration has achieved significant progress. In spite of this, with the limited presence of the International Security Assistance Force in Kabul, the serious lack of security for women and girls continues to create major impediments to their full integration into political, economic and social public life.

F. Continuing causes for concern with regard to women's human rights

30. While some progress has been made in the protection and promotion of women's rights, there have been developments that are cause for concern. Within the Ministry of Religious Affairs, the Department of Islamic Teaching was established, reminiscent of the Taliban-era Department of Vice and Virtue. The Department has trained and deployed women to stop "un-Islamic" behaviour among Afghan women in public institutions and places and to monitor women's appearance and views, including the wearing of the traditional hijab.

31. A recent report on the status of women in Herat illustrates the ongoing repression of women's rights by some local authorities. Restrictions are imposed on women's freedom of movement and expression, as well as on their right to work. For example, women are banned from travelling without a male relative, are harassed by the police and forced to undergo gynaecological examinations to determine their chastity.[9]

32. While the Transitional Administration has taken steps to ensure respect for the human rights and fundamental freedoms of women and girls, in accordance with international human rights standards, and important achievements have been made during the year under review, more efforts are needed to repeal all legislative measures discriminating against women and girls in all aspects of life, particularly with regard to education, access to health care, employment and political participation. The three Commissions will require sustained support, including

sufficient resources, to develop the capacity to address and remedy violations of women's human rights.

V. Economic and social situation and response by the United Nations system

A. Health

33. Maternal mortality is an indicator of women's status in the society. The data available reflect Afghan women's lack of access to skilled health-care services and inadequate access to food, water and shelter. Other factors influencing their health include early marriage, frequent pregnancies, little or no access to birth control, lack of money for health care and, in many cases, the need for permission from male family members to obtain health care.

34. According to UNFPA, the average Afghan woman who survives until the end of her childbearing years will have had an average of eight live births and several more unsuccessful pregnancies. A recent study on maternal mortality, undertaken by UNICEF and the Centres for Disease Control and Prevention in Atlanta, Georgia, United States of America, in collaboration with the Ministry of Health, in four provinces between March and July 2002, found a maternal mortality rate of 1,600 maternal deaths per 100,000 live births, which is one of the highest reported globally. According to the study, 87 per cent of these deaths were considered preventable. Maternal mortality rates varied substantially by region, thus indicating differences in access to resources and health care between urban and rural areas. Death from childbearing causes accounted for almost half of the deaths among women of reproductive age in rural areas of Afghanistan. According to the same study, only 5 per cent of the surveyed women were literate, which underlines the linkage between the importance of women's literacy and their health.

35. Similar findings were reported in a study on maternal mortality in Herat,[10] which has a maternal mortality rate of 593 per 100,000 live births. Of the women interviewed 97 per cent had given birth with untrained traditional birth attendants. Several factors increased women's vulnerability, including the lack of health-care services and knowledge about health issues, as well as their inability to pay for services and poor means of transportation.

36. In close cooperation with the Ministry of Health, several United Nations entities have taken steps to tackle the high rates of maternal mortality through access to skilled prenatal care, increasing access to skilled birth attendants, education programmes on basic health issues, community information activities and emergency obstetric care. Maternity hospitals were repaired and provided with equipment, ambulances and clinics in Kabul and rural areas. As the focal point for reproductive health, UNFPA provides crucial basic health-care services, such as safe delivery, prenatal and post-natal care, emergency and obstetric care facilities; assists in expanding clinical service delivery in underserved areas; and provides other reproductive health services, including counselling to victims of trauma.

37. Four national immunization campaigns have been organized with the support of UNICEF, the World Health Organization and other partners. UNICEF worked with women vaccinators and supervisors to facilitate access to mothers.

38. In terms of nutrition, a percentage of World Food Programme's food assistance is used for relief activities to reach the economically and nutritionally vulnerable, especially female-headed households. Women-operated and managed bakeries have evolved into semi-autonomous activities that generate income for the widows who bake bread. The World Food Programme continues to distribute food as an incentive for girls' school attendance and for teacher training.

39. The Office on Drugs and Crime of the Secretariat (formerly the Office for Drug Control and Crime Prevention) continued its drug demand reduction project in Afghanistan and worked with women refugees, health-care professionals and social workers in refugee camps in Pakistan to address drug abuse among refugees.

B. Education

40. The overall high illiteracy levels for women and girls continue to be one of the key obstacles to their full participation in society. Particularly during the Taliban regime, but even earlier, girls were largely denied access to the school system. This situation created a large number of girls and women who are severely handicapped in participating in public life. Innovative methods are now required to promote literacy.

41. The Ministry of Education, with the support of UNICEF, launched a back-to-school campaign in March 2002, which targeted 1.78 million children. The campaign was a success and even exceeded its initial objective, as approximately 3 million school children returned to school, of which 30 per cent were girls. However, the enrolment rates of girls remain uneven throughout the country. There are now over 70,000 teachers, 28 per cent of whom are women. In February 2002, women were among those who took the first university entrance exams in five years. Despite these positive developments, women's education continues to be a divisive issue for Afghan society. This was illustrated, during late 2002 by arson attacks on girls' schools in several provinces. These attacks were often preceded by written threats warning against girls attending school.

42. Following the back-to-school campaign, UNICEF provided additional school materials in preparation for the September 2002 school term for 1.2 million primary and 300,000 secondary school children. Six thousand tents were provided to establish temporary classrooms. UNICEF worked with the Ministry of Education to rehabilitate 300 provincial and district level warehouses for school materials and distributed over 8 million textbooks and also rehabilitated schools.

43. UNICEF is assisting the Transitional Administration in the development of literacy courses by adopting a life-skills approach to learning, rather than a functional literacy approach. In partnership with UNESCO, UNICEF is developing a women's literacy textbook that includes a strong focus on early childhood development. A few innovative projects have been started by the department of literacy within the Ministry of Women's Affairs and some non-governmental organizations to address the needs of girls and young women by providing out-of-school literacy. UNESCO is building or strengthening local capacity through training and study visits abroad and by providing non-formal education and producing necessary learning materials.

C. Employment

44. The Taliban authorities had effectively banned women from employment, with a few exceptions in the health sector. Since the establishment of the Afghan Interim Administration, women have returned to work, but their lack of education has had a severe impact on their employment opportunities.

45. Since the fall of the Taliban, women civil servants returned to their jobs and some progress has been made in recruiting women for the health and education sectors and as judges and police officers. United Nations entities and non-governmental organizations have made efforts to increase the employment of women within their operations. However, restrictions on women's dress and freedom of movement, which are particularly critical for widows, still continue to limit women's access to employment. In some regions, local leaders have been reported as actively pressuring women not to work, including for international organizations.

46. In support of employment, the UNDP Recovery and Employment Afghanistan Programme project supported the establishment of vocational training centres in Kabul. Women are trained in tailoring, including the stitching of traditional cloths, design and embroidery.

47. Other United Nations assistance, including the International Organization for Migration's Return and Reintegration of Qualified Afghan Nationals Programme, has placed seven female returnees within the Ministry of Women's Affairs. To date, women comprise 25.5 per cent of the returnees that have been employed. The International Organization for Migration's Afghanistan Transition Initiative has set up day-care centres in Kabul and Maimana to assist women's return to the workforce.

48. A network of professional associations of women journalists has been established in Kabul with support from UNESCO, which is funding the Voice of Afghan Women in Global Media, formally established in February. The network produces *Effat*, a new monthly magazine dedicated to women outside of Kabul, which was launched in October 2002. The first issue of *Effat* concentrated on women's life in the Bamiyan province and featured articles on health, education and cultural practices.

D. Violence against women and girls

49. Afghan women continue to suffer from gender-based violence, both as a consequence of the past conflict and in the course of their domestic lives. There are virtually no services or facilities available in Afghanistan to which women and girl victims of sexual or domestic violence can turn. Women aid workers have also been targets of violence, including rape.

50. Despite strong cultural taboos related to violence against women, there continue to be reports of early and forced marriages, domestic violence, kidnapping of young girls, harassment and intimidation of women. In impoverished rural areas, families have been reported to sell their daughters to escape desperate conditions or to settle bad blood between families. Incidents of self-immolation by women to escape forced marriages and domestic violence have also been reported.

51. Women have been imprisoned for social reasons to protect them from violence by family members in response to perceived violations of social norms. According to the Office on Drugs and Crime, conditions in the female detention centre at police headquarters in Kabul are appalling.

52. The Office of the United Nations High Commissioner for Refugees (UNHCR) has reported instances of the most serious forms of violence against women, including rape, gang rape and other forms of sexual or gender-based violence, in a number of camps for internally displaced persons in the north, west and south of the country, and in villages in the north and north-west throughout the year. These acts, inter alia, have contributed to continued internal displacement and the relatively low return of Pashtuns to the north and north-west.

53. The UNAMA Human Rights Unit, in collaboration with the Inter-agency Network on Women and Gender Equity, supported by the Office of the High Commissioner for Human Rights has monitored, investigated and supported corrective action in a variety of cases involving gender-based violence throughout the country, including domestic violence, forced marriages, kidnapping of young girls by local commanders and attacks against girls' schools.

54. One of the priorities of the Ministry of Women's Affairs, supported by UNAMA, is to increase women's security in public and private spheres.

E. Refugees and internally displaced persons

55. Between March and the end of October 2002, the Ministry of Refugees and Repatriation, with support from UNHCR, assisted with the return of some 1.78 million Afghan refugees from the Islamic Republic of Iran and Pakistan, and 200,000 internally displaced persons to their homes or a location of their choice. Women and girls made up 47 per cent of those numbers. Women constituted 0.07 per cent (1,288 persons) of all returnees travelling alone and around 10 per cent of the families returning were headed by women.

56. Livelihood security is a pressing concern for the majority of returnee and displaced women. Preliminary analysis of returnee data shows that the majority of returnee families own little or no land, no longer have access to rural employment and have either lost or lack cash to buy livestock. Thus, both rural and urban women are increasingly likely to find themselves with the responsibility for the well-being of their children, while male family members migrate in search of work.

57. Female UNHCR staff are present at all entry points and way stations associated with return. Afghan women are being employed in field operations, in community services and in protection activities. The percentage of Afghan women employed by UNHCR has risen from almost zero at the beginning of 2002, to 23 per cent of all national programme staff, and 36 per cent of all national protection staff. UNHCR imposes a contractual requirement that its implementing partners must directly include women in decision-making in relation to the identification of beneficiaries of shelter assistance and the location of wells. The requirement that the names of wives, as well as husbands, be included on documentation granting shelter, and the inclusion of widows as beneficiaries, has contributed further to the protection and exercise of individual rights of women.

VI. Coordination of United Nations assistance to Afghan women and girls

58. UNAMA and the international assistance community have worked closely with the Government of Afghanistan to improve the situation of women and girls. Substantial progress has been achieved by both the Government and the United Nations in the planning and implementation of the National Development Framework and in developing collaborative arrangements. The National Development Framework, which lays out 12 programme areas, calls for a strategy of gender mainstreaming throughout its plans for return, recovery, rehabilitation and development. At the same time, the United Nations and its implementing partners have focused on targeted interventions for women and girls, particularly in the areas of health care and education. Progress has also been made in hiring women staff and developing gender policies and guidelines.

A. Gender adviser

59. The Special Adviser on Gender Issues and Advancement of Women arranged for the Division for the Advancement of Women of the Department of Economic and Social Affairs to second a staff member for an interim period to serve as the Senior Gender Adviser in UNAMA. The role of the Gender Adviser is to ensure that gender issues are addressed in the implementation of the Bonn agreement and ensure a coordinated approach by the United Nations system to gender issues in Afghanistan. To ensure continuity in the implementation of that task, it is crucial that the post of Gender Adviser be filled on a permanent basis.

B. Inter-agency coordination mechanism

60. UNAMA established the Inter-agency Network for Gender in Afghanistan, made up of 12 United Nations entities. The Network is designed to coordinate a policy and programmatic framework for (a) an integrated gender approach to United Nations policies and programmes in Afghanistan; (b) effective information-sharing and monitoring of all United Nations programmes addressing gender issues; and (c) increased cost-effectiveness, through a reduction of overlapping and duplication. Since June, the Network has widened its membership to include representatives of the donor and non-governmental organization community, as well as the Ministry of Women's Affairs. It has provided a framework for exchange of information and coordinated support to the Ministry of Women's Affairs and other national institutions implementing programmes for women. Moreover, the Network has become an important mechanism of consultation and decision-making on gender policies and has provided an opportunity for UNAMA to coordinate the preparation of the Immediate and Transitional Assistance Programme for the Afghan People with regard to targeted interventions for women and mainstreaming gender into sectoral sections.

C. Support for training and capacity-building on the Convention on the Elimination of All Forms of Discrimination against Women

61. In addressing the demand for training and capacity-building on gender-related concerns, UNAMA has conducted a number of training sessions on the Convention on the Elimination of All Forms of Discrimination against Women in collaboration with the International Human Rights Law Group. These sessions have targeted primarily female and male judges and lawyers. Training focusing on gender perspectives of police work and women's rights was also conducted at the police academy, where 30 women police officers were specifically trained on how to deal with women and girls under investigation or in custody. At the officers' request, a second session was conducted on women's rights in the sociocultural context of Afghanistan, combining aspects of customary and constitutional law as well as international instruments, such as the Convention.

D. Monitoring and reporting

62. In order to monitor and assess the progress on the status of Afghans in general, and women and girls in particular, UNAMA developed guidelines and a reporting format to monitor statements and reactions from Government authorities and social, religious and military leaders, as well as regulations, laws, public announcements, official statements or attitudes that could advance or undermine the rights and freedoms of women and girls. The purpose is to monitor possible trends towards limiting women's fundamental rights and freedoms.

E. Programming and financing of gender-related activities

63. On 17 December 2002, the national development budget of the Transitional Government and the Immediate and Transitional Assistance Programme for the Afghan People were launched in Oslo, where the Government of Norway hosted the annual meeting of the Afghanistan Support Group. The Programme, which covers the period from January 2003 to March 2004, was the result of an extensive review between the United Nations and the Afghan Government. It responded to continuing humanitarian needs within longer-term recovery and reconstruction strategies.

64. While recognizing the needs and priorities of women and girls with regard to health care, education and employment and the importance of targeted interventions, the Immediate and Transitional Assistance Programme for the Afghan People is aimed at strengthening the status of women as a separate issue, rather than as a development goal by itself. More vigorous efforts and voluntary contributions are needed to ensure that the accomplishment of the goal of gender equality is systematically mainstreamed into all pillars of UNAMA and within all sectors, in keeping with the third Millennium development goal.

VII. Conclusions and recommendations

A. Conclusions

65. One year ago, the Afghan people crossed the line separating peace from conflict. The difficulties encountered throughout the period in addressing the underlying causes of conflict were an indication of the complexities awaiting the unprecedented endeavour by Afghan women and men, supported by the United Nations and the international community, to reach national reconciliation and promote sustainable development, democracy, justice for all and gender equality. It is no surprise that the advancement of Afghan women has encountered challenges. However, what is significant and a cause for great satisfaction is that, despite these challenges, deeply ingrained patriarchal traditions and culture, the status of women and girls has advanced steadily and continues to give every sign of being irreversible.

66. In the year under review, for the first time in more than two decades, progress in the status of women can be reported. Women are re-emerging as a political and economic force. They participated in decision-making on the peace process and in the reconstruction of their country and, for the first time in 20 years, were appointed to the Government. Women have returned to the workforce. Women and girls have been able to gain access to education. Women and girls made up about half of all returnees to Afghanistan.

67. In spite of this progress, the fact that women in many parts of the country continue to face gross violations of their rights, is a matter of concern. Women are primary victims of insecurity, which limits their access to public life and threatens their lives and dignity. Taliban-like restrictions continue to be applied to women in some parts of the country by local leaders.

68. Progress for women and girls in Afghanistan will require continuing support and vigilance by the international community, both through the continued existence of UNAMA and the provision of voluntary contributions for gender-related projects. It is critical that the Transitional Administration, the United Nations system as a whole, the donor community and non-governmental organizations continue to nurture the positive trends in the advancement of women to lay a solid foundation for their future. At the same time, resolute steps are needed to ensure that women's concerns form an integral part of all actions to rebuild the country. An essential factor in achieving these objectives is the development and maintenance of comprehensive databases on all aspects of the lives of women and girls.

69. A key factor for strengthening women's enjoyment of their rights remains the need for a safe environment for women and girls in public and domestic spheres and the development of security forces that are responsive to women's concerns and needs. The challenge for the United Nations system is to ensure that the momentum generated on behalf of women's rights in Afghanistan a year ago is sustained, and that support for women and girls is not limited to the areas of education, health care and employment, but also focuses on strengthening their participation in public life and the development of a gender-sensitive judicial and legal system. The objective in mainstreaming gender into all programmes is to promote gender equality. It is a task for both Afghan women and men, and for the United Nations and all

international organizations working in Afghanistan towards the goals of sustainable peace and reconstruction.

B. Recommendations

70. **In order to strengthen further the status of women and girls in Afghanistan and their full participation in the reconstruction and development of their country, the Commission on the Status of Women may wish to consider the following recommendations.**

1. To the Afghan Transitional Administration

(a) **Repeal all legislative and other measures that discriminate against women and girls, as well as those that impede the realization of their human rights and fundamental freedoms;**

(b) **Ensure that the Judicial Reform Commission, the Constitutional Drafting Commission and the Human Rights Commission have adequate human and financial resources to fulfil their mandates and address gender perspectives in line with international standards;**

(c) **Protect the right of women and girls to security of person, including in the private sphere, and bring to justice those responsible for violence against women and girls;**

(d) **Continue its efforts to re-establish the rule of law, including by ensuring that law enforcement agencies respect and uphold human rights and fundamental freedoms, with a particular emphasis on women's access to justice;**

(e) **Initiate rapid demobilization and disarmament and facilitate the reintegration of those who have participated in or have otherwise been affected by war into society and work;**

(f) **Ensure that gender-sensitive approaches are applied in the development and application of procedures during the data collection for the census and the registration of voters for the next elections;**

(g) **Ensure the effective and equal access of women and girls to health care;**

(h) **Ensure the equal right of women and girls to education without discrimination, the effective functioning of schools throughout the country and the admission of women and girls to all levels of education and support the education needs of those women and girls who were excluded from education in the past;**

(i) **Respect the equal right of women to work and promote their reintegration in employment in all sectors and at all levels of Afghan society;**

(j) **Protect the right to freedom of movement, expression and association for women and girls;**

(k) **Take steps towards ratifying the Convention on the Elimination of All Forms of Discrimination against Women.**

2. To the United Nations system, donor Governments and civil society

(a) Ensure a human rights-based approach and gender mainstreaming in all programmes and operations, based on the principles of non-discrimination and equality between women and men, and ensure that women benefit equally with men from such programmes in all sectors;

(b) Ensure that the necessary resources are allocated to mainstream gender perspectives into all policies and programmes;

(c) Provide coordinated support to ministries to help develop their capacity to mainstream gender perspectives into their programmes;

(d) Support capacity-building for Afghan women to enable them to participate fully in all sectors;

(e) Provide technical and other relevant assistance, so that the judicial system can have the capacity to adhere to international standards of human rights;

(f) Support measures to hold accountable those responsible for gross violations of women's human rights in the past and to ensure that full investigations are conducted and perpetrators brought to justice;

(g) Employ Afghan women, inter alia, in management positions, promote security in their employment with the assistance community and respect the right of women to freedom of movement;

(h) Support the activities of those elements of civil society active in the promotion of women's rights.

Notes

[1] Information was received from the United Nations Assistance Mission in Afghanistan, the Office for the Coordination of Humanitarian Affairs, the Office on Drugs and Crime (formerly the Office for Drug Control and Crime Prevention), the United Nations Human Settlements Programme (UN-Habitat), the United Nations Development Programme, the United Nations Development Fund for Women, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the World Food Programme, the Office of the United Nations High Commissioner for Human Rights, the Food and Agriculture Organization of the United Nations and the United Nations Educational, Scientific and Cultural Organization.

[2] Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan (A/57/309), para. 45.

[3] Report of the Secretary-General on emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan (A/57/410), para. 11.

[4] S/2002/1154.

[5] S/PRST/2002/32.

[6] S/PV.4521.

[7] See S/2002/1154.

[8] E/CN.4/2002/43 and A/57/309.

[9] Human Rights Watch, "*We want to live as humans": Repression of Women and Girls in Western Afghanistan*, December 2002.

[10] Physicians for Human Rights, *Maternal Mortality in Herat Province, Afghanistan: The Need to Protect Women's Rights*, September 2002.